

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:19-cv-06658-AJN**

American Immigration Council et al v. Executive Office For
Immigration Review et al
Assigned to: Judge Alison J. Nathan
Cause: 05:552 Freedom of Information Act

Date Filed: 07/17/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

American Immigration Council

represented by **Claudia Valenzuela**
American Immigration Council
1331 G Street NW
Ste 200
Washington, DC 20005
202-507-7540
Fax: 202-742-5619
Email: cvalenzuela@immcouncil.org
ATTORNEY TO BE NOTICED

Emma Curtis Winger
American Immigration Council
1318 Beacon Street
Suite 18
Brookline, MA 02446
617-505-5375
Email: ewinger@immcouncil.org
ATTORNEY TO BE NOTICED

Plaintiff

**American Immigration Lawyers
Association**

represented by **Claudia Valenzuela**
(See above for address)
ATTORNEY TO BE NOTICED

Emma Curtis Winger
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Immigrant Defense Project

represented by **Claudia Valenzuela**
(See above for address)
ATTORNEY TO BE NOTICED

Emma Curtis Winger
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**Executive Office For Immigration
Review**

represented by **Christopher Kendrick Connolly**
United States Attorney's Office
SDNY
86 Chambers Street
3 Floor
New York, NY 10007
(212) 637-2761
Fax: (212) 637-2786
Email: christopher.connolly@usdoj.gov

Defendant**U.S. Department of Justice**represented by **Christopher Kendrick Connolly**
(See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 07/17/2019 | <u>1</u> | COMPLAINT against Executive Office For Immigration Review, U.S. DEPARTMENT OF JUSTICE. (Filing Fee \$ 400.00, Receipt Number ANYSDC-17260790) Document filed by American Immigration Council, Immigrant Defense Project, American Immigration Attorneys Association. (Attachments: # <u>1</u> Exhibit FOIA Request, # <u>2</u> Exhibit FOIA Receipt)(Winger, Emma) (Entered: 07/17/2019) |
| 07/17/2019 | <u>2</u> | CIVIL COVER SHEET filed. (Winger, Emma) (Entered: 07/17/2019) |
| 07/17/2019 | <u>3</u> | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Immigration Attorneys Association, American Immigration Council, Immigrant Defense Project.(Winger, Emma) (Entered: 07/17/2019) |
| 07/17/2019 | <u>4</u> | MOTION for Emma Curtis Winger to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17261186. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by American Immigration Attorneys Association, American Immigration Council, Immigrant Defense Project. (Attachments: # <u>1</u> Affidavit Affidavit of Emma Winger, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Text of Proposed Order Proposed Order)(Winger, Emma) (Entered: 07/17/2019) |
| 07/17/2019 | | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>4</u> MOTION for Emma Curtis Winger to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17261186. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (jc) (Entered: 07/17/2019) |
| 07/18/2019 | | CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Alison J. Nathan. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pne) (Entered: 07/18/2019) |
| 07/18/2019 | | Magistrate Judge Robert W. Lehrburger is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pne) (Entered: 07/18/2019) |
| 07/18/2019 | | Case Designated ECF. (pne) (Entered: 07/18/2019) |
| 07/18/2019 | | ***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Emma Curtis Winger. The party information for the following party/parties has been modified: U.S. Department of Justice, American Immigration Lawyers Association. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error; party name was entered in all caps. (pne) (Entered: 07/18/2019) |
| 07/18/2019 | <u>5</u> | MOTION for Claudia Valenzuela to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17267919. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by American Immigration Council, American Immigration Lawyers Association, Immigrant Defense Project. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit, # <u>3</u> Text of Proposed Order)(Valenzuela, Claudia) (Entered: 07/18/2019) |

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| 07/18/2019 | | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. <u>5</u> MOTION for Claudia Valenzuela to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number ANYSDC-17267919. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 07/18/2019) |
| 07/18/2019 | <u>6</u> | FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST As To – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Attorney for the Southern District of New York, re: <u>1</u> Complaint,. Document filed by American Immigration Council, American Immigration Lawyers Association, Immigrant Defense Project. (Winger, Emma) Modified on 7/19/2019 (dnh). (Entered: 07/18/2019) |
| 07/18/2019 | <u>7</u> | FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST As To – REQUEST FOR ISSUANCE OF SUMMONS as to U.S Attorney General, re: <u>1</u> Complaint,. Document filed by American Immigration Council, American Immigration Lawyers Association, Immigrant Defense Project. (Winger, Emma) Modified on 7/19/2019 (dnh). (Entered: 07/18/2019) |
| 07/18/2019 | <u>8</u> | REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Department of Justice, re: <u>1</u> Complaint,. Document filed by American Immigration Council, American Immigration Lawyers Association, Immigrant Defense Project. (Winger, Emma) (Entered: 07/18/2019) |
| 07/18/2019 | <u>9</u> | REQUEST FOR ISSUANCE OF SUMMONS as to Executive Office for Immigration Review, re: <u>1</u> Complaint,. Document filed by American Immigration Council, American Immigration Lawyers Association, Immigrant Defense Project. (Winger, Emma) (Entered: 07/18/2019) |
| 07/19/2019 | <u>10</u> | ELECTRONIC SUMMONS ISSUED as to U.S. Department of Justice. (dnh) (Entered: 07/19/2019) |
| 07/19/2019 | <u>11</u> | ELECTRONIC SUMMONS ISSUED as to Executive Office For Immigration Review. (dnh) (Entered: 07/19/2019) |
| 07/19/2019 | | ***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Emma Curtis Winger to RE-FILE Document No. <u>7</u> Request for Issuance of Summons, <u>6</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): 'As to' Error; Summonses may only be issued to official parties of record listed in the pleading caption. Re-file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (dnh) (Entered: 07/19/2019) |
| 07/22/2019 | <u>12</u> | ORDER granting <u>4</u> Motion for Emma Curtis Winger to Appear Pro Hac Vice (HEREBY ORDERED by Judge Alison J. Nathan)(Text Only Order) (Nathan, Alison) Transmission to Attorney Services/Help Desk. (Entered: 07/22/2019) |
| 07/22/2019 | <u>13</u> | ORDER granting <u>5</u> Motion for Claudia Valenzuela to Appear Pro Hac Vice (HEREBY ORDERED by Judge Alison J. Nathan)(Text Only Order) (Nathan, Alison) Transmission to Attorney Services/Help Desk. (Entered: 07/22/2019) |
| 07/30/2019 | <u>14</u> | AFFIDAVIT OF SERVICE. Executive Office For Immigration Review served on 7/22/2019, answer due 8/12/2019; U.S. Department of Justice served on 7/22/2019, answer due 8/12/2019. Service was made by Mail. Document filed by American Immigration Council; Immigrant Defense Project; American Immigration Lawyers Association. (Attachments: # <u>1</u> Exhibit Certified Mail Receipts, # <u>2</u> Exhibit Proof of Delivery)(Winger, Emma) (Entered: 07/30/2019) |
| 08/27/2019 | <u>15</u> | NOTICE OF APPEARANCE by Christopher Kendrick Connolly on behalf of Executive Office For Immigration Review, U.S. Department of Justice. (Connolly, Christopher) (Entered: 08/27/2019) |
| 08/27/2019 | <u>16</u> | LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint, addressed to Judge Alison J. Nathan from AUSA Christopher Connolly dated August 27, 2019. Document filed by Executive Office For Immigration Review, U.S. Department of Justice.(Connolly, Christopher) (Entered: 08/27/2019) |

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| 08/27/2019 | <u>17</u> | ORDER granting <u>16</u> Letter Motion for Extension of Time to Answer re <u>1</u> Complaint. SO ORDERED. Executive Office For Immigration Review answer due 9/27/2019; U.S. Department of Justice answer due 9/27/2019 (Signed by Judge Alison J. Nathan on 8/27/2019) (kv) (Entered: 08/27/2019) |
| 08/29/2019 | <u>18</u> | NOTICE OF INITIAL PRETRIAL CONFERENCE: Parties ordered to submit via ECF proposed case management plan and joint letter seven days before conference. (As further set forth in this Order.) Initial Conference set for 11/8/2019 at 03:15 PM in Courtroom 906, 40 Centre Street, New York, NY 10007 before Judge Alison J. Nathan. (Signed by Judge Alison J. Nathan on 8/29/2019) (jca) (Entered: 08/29/2019) |
| 09/26/2019 | <u>19</u> | LETTER MOTION for Extension of Time to File Answer re: <u>1</u> Complaint, addressed to Judge Alison J. Nathan from AUSA Christopher Connolly dated September 26, 2019. Document filed by Executive Office For Immigration Review, U.S. Department of Justice.(Connolly, Christopher) (Entered: 09/26/2019) |
| 09/26/2019 | <u>20</u> | ORDER granting <u>19</u> Letter Motion for Extension of Time to Answer: SO ORDERED. (Executive Office For Immigration Review answer due 10/28/2019; U.S. Department of Justice answer due 10/28/2019.) (Signed by Judge Alison J. Nathan on 9/26/2019) (jwh) (Entered: 09/26/2019) |